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9 Associates

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 PALO MOBILE ESTATES ASSOCIATES,  
13 a California limited partnership,

14 Plaintiff,

15 vs.

16 CITY OF EAST PALO ALTO, a municipal  
17 corporation; DOES 1 through 10, inclusive,

18 Defendants.  
19

CASE NO: C 07-03601 PJH

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER**

Superior Court Action Filed: June 12, 2007  
Removed to Federal Court: July 12, 2007  
Trial Date: None Set

20  
21 WHEREAS, at the case management conference on December 6, 2007, the Court stayed  
22 this matter at the request of both parties pending the outcome of the concurrent petition for a writ  
23 of mandate in the San Mateo County Superior Court (“Case No. CIV 467731”);

24 WHEREAS, at the time of the previous case management conference, the parties were  
25 working on a proposed briefing schedule and hearing date for the petition for a writ of mandate  
26 and hoped to have the hearing in March 2008;

27 WHEREAS, the parties worked out a briefing schedule that was accepted by the San  
28 Mateo County Superior Court, but the hearing was set for and took place on April 11, 2008.

1 WHEREAS, the San Mateo County Superior Court has not yet issued a ruling on the  
2 motion for writ of mandate in Case No. CIV 467731;

3  
4 ACCORDINGLY, IT IS HEREBY STIPULATED by PME and City of East Palo Alto, by  
5 and through their respective counsel, that:

6  
7 This Court continue the stay in this action for a further sixty (60) days and continue the  
8 Case Management Conference for a further (60) days.

9  
10 DATED: April 16, 2008

GILCHRIST & RUTTER  
Professional Corporation

11  
12  
13 By: /s/ Thomas W. Casparian  
14 Thomas W. Casparian  
15 Attorneys for Plaintiff  
Palo Mobile Estates Associates

16 DATED: April 16, 2008

JARVIS, FAY & DOPORTO, LLP

17  
18 By: /s/ Benjamin P. Fay  
19 Benjamin P. Fay  
20 Attorneys for Defendant  
CITY OF EAST PALO ALTO

21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23  
24  
25 DATED:

26 Honorable Phyllis J. Hamilton  
27 Judge, United States District Court  
28

**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 1299 Ocean Avenue, Suite 900, Santa Monica, California 90401-1000. On April 16, 2008, I served the within documents:

**STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE [PROPOSED] ORDER**

- ☐ by transmitting the document(s) listed above via facsimile from sending facsimile machine number to the fax number(s) set forth below on this date before 5:00 p.m. and receiving confirmed transmission reports indicating that the document(s) were successfully transmitted.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Santa Monica, California, addressed as set forth below.
- ☐ by causing overnight delivery by of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by causing personal delivery by of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

**SEE ATTACHED SERVICE LIST**

I am readily familiar with the firm's practice for the collection and processing of correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

- ☐ (*State*) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ (*Federal*) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 16, 2008 at Santa Monica, California.

/s/ M.L. Glenn

M.L. Glenn

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